

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA)	
)	
Vs)	CRIMINAL ACTION:
)	1:11-CR-239-20-CAP-ECS
JOSE VARGAS)	

CONSENT MOTION
TO CONTINUE PRETRIAL CONFERENCE

Comes now, Jose Vargas, defendant in the above case by and through counsel and files this motion to continue the pretrial conference in the above case and allow an additional 20 days for the filing of motions and respectfully shows the following in support of same:

(1)

The United States Magistrate Court for the Northern District of Georgia arraigned the defendants on this indictment and originally scheduled the pre-trial conference for August 17, 2011. The indictment giving rise to this action contains charges of conspiracy and drug possession with intent to distribute.

(2)

The AUSA in this made a large amount of discovery available to the

Defendants and supplemented said discovery on July 29th, 2011 with 57 cds replacing and/or supplementing the original discovery.

(3)

Defense counsel has not had the opportunity to fully review the large amount of discovery recently provided and cannot effectively do so by the originally scheduled date for the pretrial conference. The undersigned respectfully requests this extension of time so that they can investigate the case, review the law, and review the discovery recently provided so that they can make informed decisions regarding case.

Defense counsel is authorized to state that the AUSA Lisa Tarvin consents to an extension.

(4)

Counsel for the Defendants further state that the additional time is necessary for effective representation that may prevent a miscarriage of justice. The ends of justice in granting this continuance outweigh the best interests of the public and the Defendant in a speedy trial. See 18 U.S.C. §§ 3161(h)(8)(A).

WHEREFORE, the Defendants pray that the Pretrial Conference scheduled for August 17th and the deadline for the filing of pretrial motions be continued for 20 days or such other date as the Court deems proper and that the speedy trial clock

be tolled through and including said date.

This the 15th day of August, 2011.

Respectfully submitted,

/s/ S. Fenn Little, Jr. _____

S. Fenn Little, Jr.

Attorney for: Jose Vargas

GA Bar Number: 454360

Prepared by:

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CERTIFICATE OF SERVICE

This is to certify that on August 15th, 2011 the foregoing document was formatted in Times New Roman 14 pt., in accordance with Local Rule 5.1B, and was electronically filed this day with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following Assistant United States Attorney of record:

Lisa Tarvin, Esq.
Assistant United States Attorney
600 Richard B. Russell Building
75 Spring Street, S. W.
Atlanta, Georgia 30303

This 15th day of August, 2011.

Respectfully submitted,

/s/ S. Fenn Little, Jr.

S. Fenn Little, Jr.

GA Bar Number: 454360

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